STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

	24804
A PRI ICATION	24004

PERMIT....

LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

17425

WHEREAS:

- 1. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
- 2. The permittee has proceeded with diligence and good cause has been shown for extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Paragraph 7 of the permit is amended to read as follows:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE

December 1, 1987

2. Paragraph 10 of this permit is deleted. A new Paragraph 10 is added as follows:

Pursuant to California Water Code Sections 100 and 275, and the public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses, prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) to installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

P-17425

STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

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APPLICATION	24804	PERMIT	17425	LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, AND AMENDING THE PERMIT

WHEREAS:

- 1. Permit 17425 was issued to Big Basin Water Company, A Partnership on August 10, 1978 pursuant to Application 24804.
- 2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
- 3. The permittee has proceeded with diligence and good cause has been shown for the extension of time.
- 4. A water conservation plan consisting of two water conservation actions shall be required subsequent to future development of the permittees service area and the diversion of water that exceeds the annual use to 200 acre-feet.
- 5. Permit Condition 10 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE

December 31, 1998

(0000009)

- 2. Two water conservation actions will be developed and implemented under Permit 17425 when the proposed development of service area has been increased and when the actual use of water has been increased to 200 acre-feet per annum.
- 3. Condition 10 of this permit be ameded to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto,

Permit	17425	(Application	24804)
Page 2			

restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(0000012)

3. At such time as actual annual use of water by the permittee exceeds 200 acre-feet per annum, permittee shall develop and implement a water conservation plan composed of two actions approved by the Board.

Dated: JANUARY 1 7 1990

Walter G. Petrit, Chief Division of Water Rights

Permit $\underline{17425}$ (Application $\underline{24804}$) Page 2

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action takes into account the public interest and is necessary to protect public trust uses. All such actions shall conform to the standard of reasonableness contained in Article X, Section 2 of the California Constitution.

3. Paragraph 13 is added to this permit as follows:

Permittee shall consult with the Division of Water Rights and the Department of Water Resources, and develop and implement a water conservation plan or actions. The proposed plan or actions shall be presented to the Board for approval within one year from the date of this order or such further time as may, for good cause shown, be allowed by the Board. A progress report on the development of water conservation plan may be required by the Board within this period.

JUNE 29 1984

Dated:

Dateu:

Raymond Walsh, Chief Division of Water Rights

STATE OF CALIFORNIA THE RESOURCES AGENCY STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT_ 17425

Application 24804	of Big Basin Wate	r Company, /	\ Part	nersh	ip		
140 Ingalls Street, Sa	anta Cruz. Californi	a 95060					
filed on April 30, 1978 Board SUBJECT TO VESTED F	, has	been approved	by the	State V this Per	Vater 1	Resource	s Control
Permittee is hereby authorized	to divert and use water as	follows:				1	
1. Source:			7	Fributa r	y to:		
1,2 Unnamed Streams	20 <u>04-4-200</u> 200		J	amison	Cree	k ther	ice
			В	oulder	Cree	ek	
3,4 Unnamed Streams			В	oulder	Cree	k ther	ice
			S	an Lor	enzo	River	
5 Unnamed Stream			J	amison	Cree	ek	
2. Location of point of diversion	n:	40-acre subdiv of public land or projection the	mrvey	Section	Town-	Range	Base and Meridan
1. N1650 ft & E 300 ft	from SW Corner of Section 14	NW¼ of S	W ¹ 4	14	98	3W	MD
2. N1650 ft & E 650 ft from SW Corner of Section 14		NW¼ of S	W ¹ 4	14	98	3W	MD
3. N1100 ft & W2100 ft from E¼ Corner of Section 23		SW ¹ 4 of N	E ¹ 4	23	95	3W	MD
4. S300 ft & W850 ft fr		NE¼ of S	E ¹ 4	23	98	3W	MD
Jamison Reservoir - Rec 5. N2050 ft & E1200 ft	liversion	NW⅓ of S	W ¹ 4	14	· 9S	3W	MD
5. N2030 TC & E1200 TC	Section 23		. 1				
County of Santa Cruz							
3. Purpose of use:	4. Place of use:		Section	Town-ship	Range	Base and Meridan	Acres
Domestic							
Fire Protection	Within the boundar	Within the boundaries of the					-
	Big Basin Water Co	ompany in					
	Sections 2,11,12,14,15,23 &2			98	3W	MD	
		:					

. . . .

5. The water appropriated shall b_0 limited to the quantity which can be beneficially used and shall not exceed 0.52 CUBIC FOOT PER SECOND BY DIRECT DIVERSION AND 10 ACRE-FEET PER ANNUM BY STORAGE FROM JANUARY 1 OF EACH YEAR TO DECEMBER 31 OF THE SUCCEEDING YEAR. THE TOTAL AMOUNT OF WATER TO BE TAKEN FROM THE SOURCE SHALL NOT EXCEED 335.25 ACRE-FEET PER WATER YEAR OF OCTOBER 1 TO SEPTEMBER 30.

(0000005)

6. The amount authorized for appropriation may be reduced in the license if investigation warrants (000 0006)

- 7.2. Complete application of the water to the proposed use shall be made on or before DECEMBER 1, 1982 (0000009)
- 8.10. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources (0000010) Control Board until license is issued.
- .XX. Permittee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with 00000H) the terms of this permit.

10.12. Pursuant to California Water Code Section 100 all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and

are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (3) suppressing evaporation losses from water surfaces; (4) controlling phreatophytic growth; and (5) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (0000012)

11.13. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges 0000013) achieved solely through the control of waste discharges.

12. PERMITTEE SHALL NOT EXERCISE ANY OTHER EXISTING RIGHT TO THE USE OF WATER NAMED HEREIN SO LONG AS THIS PERMIT OR ANY LICENSE ISSUED PURSUANT THERETO REMAINS IN EFFECT. 0000999)

TERM (00000 29) HAS BEEN ADDED

This permit is issued and permittee takes it subject to the following provisions of the Water Code.

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision (of the Water Code).

Dated:

AUGUST 10 1978

STATE WATER RESOURCES CONTROL BOARD

CLINT WHITNEY, EXECUTIVE DIRECTOR

Chick XDINXHOW BY XIX AtteX ENGINE

WATER RIGHTS AND ADMINISTRATION